

## OPINION 1325

*CAPSUS ATER* JAKOVLEV, 1889 (INSECTA, HEMIPTERA, HETEROPTERA): NOT REJECTED AS A JUNIOR HOMONYM OF *CIMEX ATER* LINNAEUS, 1758

RULING. — (1) Under the plenary powers, it is hereby ruled that the specific name *ater* Jakovlev, 1889, as published in the binomen *Capsus ater*, is not to be rejected as a junior homonym of the specific name *ater* Linnaeus, 1758, as published in the binomen *Cimex ater*, by any zoologist who places those species in different genera.

(2) The specific name *ater* Jakovlev, 1889, as published in the binomen *Capsus ater*, is hereby placed on the Official List of Specific Names in Zoology with an endorsement that it is not to be rejected as a junior secondary homonym of *ater* Linnaeus, 1758, as published in the binomen *Cimex ater* by any zoologist who places those species in different genera (Name Number 2974).

(3) The specific name *ater* Linnaeus, 1758, as published in the binomen *Cimex ater*, is hereby placed on the Official List of Specific Names in Zoology with an endorsement that it is not to be interpreted as a senior secondary homonym of *ater* Jakovlev, 1889, as published in the binomen *Capsus ater* by any zoologist who places those species in different genera (Name Number 2975).

## HISTORY OF THE CASE Z.N.(S.)2148

An application for the use of plenary powers to make the specific name *ater* Jakovlev, 1889, nomenclaturally valid, was first received from Dr I. M. Kerzhner (*Zoological Institute, Leningrad*) on 18 September 1975. After some correspondence a revised draft was sent to the printers on 24 March 1981 and published in *Bull. zool. Nom.*, vol. 34, pp. 288–291. Public notice of the possible use of plenary powers was given in the same part of the *Bulletin* as well as to the statutory serials and nine entomological serials. Comment was received from Professor L. B. Holthuis which was published, together with a reply from Dr Kerzhner containing modified proposals, in *Bull. zool. Nom.*, vol. 39, pp. 162–163. No other comments were received.

## DECISION OF THE COMMISSION

On 13 September 1984 the members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (1984)55 for or against the proposals set out in *Bull. zool. Nom.*, vol. 39, p. 163. At the close of the voting period on 13 December 1984 the state of the voting was as follows:

Affirmative Votes — seventeen (17) received in the following order: Melville, Cocks, Brinck, Hahn, Willink, Trjapitzin, Halvorsen, Uéno,

Starobogatov, Alvarado, Ride, Corliss, Schuster, Bayer, Heppell, Dupuis, Sabrosky

Negative Votes — four (4) received in the following order: Holthuis, Mroczkowski, Kraus, Binder.

Lehtinen was on leave of absence. No votes were returned by Bernardi, Cogger and Savage.

#### ORIGINAL REFERENCES

The following are the original references for the names placed on the Official List by the ruling given in the present Opinion:

*ater*, *Capsus*, Jakovlev, 1889, *Horae Soc. entomol. Rossicae*, vol. 24, p. 344  
*ater*, *Cimex*, Linnaeus, 1758, *Systema Naturae*, ed. 10, p. 447.

#### CERTIFICATE

I hereby certify that the votes cast on Voting Paper (84)55 were cast as set out above, that the proposal contained in that voting paper has been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission on Zoological Nomenclature, is truly recorded in the present Opinion No. 1325.

R. V. MELVILLE

*Secretary*

*International Commission on Zoological Nomenclature*

*London*

*13 February 1985*